

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

MELVINE KEITH NOAKS,)	
)	
Plaintiff,)	Civil Action No. 7:21cv00485
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
OFFICER JONAS CRESS,)	By: Hon. Thomas T. Cullen
)	United States District Judge
Defendant.)	

Plaintiff Melvine Keith Noaks, proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. By conditional filing order entered September 16, 2021, the court advised Noaks that he must notify the court in writing immediately upon his transfer or release *and* must provide the court with his new address. (*See* ECF No. 3.) On January 10, 2022, an order mailed to Noaks was returned to the court as undeliverable with no forwarding address. (*See* ECF No. 8.) Noaks has not provided the court with an updated address. Accordingly, the court will dismiss this action without prejudice for failure to comply with the court's order. The court notes that this dismissal is without prejudice to Noaks' opportunity to refile his claim in a separate civil action, subject to the applicable statute of limitations.

ENTERED this 17th day of March, 2022.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE